

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION DECLARATION AND POWER OF ATTORNEY
(Page 1 of 2)

EACH OF THE APPLICANTS SIGNING BELOW HEREBY DECLARES THAT:

My residence, post office address, and citizenship are as stated next to my name in PART A on page 2 hereof.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **OPTICAL SWITCHING AND SORTING OF BIOLOGICAL SAMPLES AND MICROPARTICLES TRANSPORTED IN A MICRO-FLUIDIC DEVICE, INCLUDING INTEGRATED BIO-CHIP DEVICES**, the specification of which is attached hereto.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119(e) of the United States Provisional patent application(s) listed below:

Provisional Patent Application Serial No. 60/253,644 filed on November 28, 2000 filed on February 24, 2000, for LOW COST, ACCURATE PATTERNING OF HYDROPHOBIC MATERIALS TO ALLOW THE ASSEMBLY OF ORGANIC AND INORGANIC COMPONENTS ON A SUBSTRATE to the selfsame below-named inventors as the present patent application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent(s) issued thereon.

I hereby appoint as my attorney with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

William C. Fuess Registration Number 30,054
James H. Meadows Registration Number 33,965

whose mailing address for this application is:

FUESS & DAVIDENAS
Attorneys at Law
10951 Sorrento Valley Road, Suite II-G
San Diego, California 92121-1613
Attention: William C. Fuess

See next page 2 attached, signed, and made a part hereof.

PATENT APPLICATION DECLARATION AND POWER OF ATTORNEY
(Page 2 of 2)

and whose telecommunications numbers are:

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All correspondence and telephone calls should be directed to William C. Fuess
at the address and telephone number referenced above.

PART A: Inventors' Information and Signatures

Full Name of First Inventor: Mark Wang
Citizenship: U.S.A.

Post Office Address: _____

Inventor's Signature: _____

Date: _____

Full Name of Second Inventor: Erhan Eta
Citizenship: U.S.A.

Post Office Address: _____

Inventor's Signature: _____

Date: _____

Full Name of Third Inventor: Sadik C. Esener
Citizenship: U.S.A.

Post Office Address: _____

Inventor's Signature: _____

Date: _____

See page 1 to which this page is attached and of which this page is a part.

Applicant(s) : Mark WANG, Erhan ETA, and SADIK ESENBER
For: OPTICAL SWITCHING AND SORTING OF
BIOLOGICAL SAMPLES AND MICROPARTICLES
TRANSPORTED IN A MICRO-FLUIDIC DEVICE,
INCLUDING INTEGRATED BIO-CHIP DEVICES
Atty's File: UCSD 2001-051P

VERIFIED STATEMENT UNDER 37 CFR §1.9(f) AND §1.27(d)
CLAIMING STATUS AS A SMALL ENTITY – NONPROFIT ORGANIZATION

I, Dr. Alan Paau, Director of the Technology Transfer Office of the University of California, San Diego, hereby declare that:

1. I am empowered to act on behalf of THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a corporation duly organized under and pursuant to the laws of CALIFORNIA having its principal place of business at 1111 Franklin Street, 5th Floor, Oakland California 94607-5200, in the matter of this VERIFIED STATEMENT.

2. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA is a University of higher education of the State of California and a nonprofit organization.

3. The rights under contract or law in the invention contained within the above-identified patent application are obligated to be assigned to and remain with THE REGENTS OF THE UNIVERSITY OF CALIFORNIA. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license any rights in the invention nor in the application to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a non-profit organization under 37 CFR §1.9(e).

4. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA qualifies as a nonprofit organization as defined in 37 CFR §1.9(e) for paying reduced fees under section 41 subsections (a) and (b) of Title 35, United States Code, with regard to said application.

5. I acknowledge the duty under 37 CFR §1.28(b) to file, in this application or any patent issuing thereon, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of any issuance fee or any maintenance fee due after that date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent(s) issuing thereon.

November 26, 2001
Date


Signature of Alan Paau, MBA, Ph.D.
Director, Technology Transfer Office
University of California San Diego
9500 Gilman Drive, MC 0910
La Jolla, CA 92093-0910
Representative of THE REGENTS OF THE UNIVERSITY OF CALIFORNIA